

R277-608 received final approval by the Utah State Board of Education on July 14, 2017. R277-608 is published in the August 15, 2017 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of September 21, 2017.

R277. Education, Administration.

R277-608. Prohibition of Corporal Punishment in Utah's Public Schools.

R277-608-[2]1. Authority and Purpose.

~~[A.](1)~~ This rule is authorized by:

~~(a)~~ Utah Constitution Article X, Section 3, which vests~~[the]~~ general control and supervision ~~[of]over~~ public education in the Board~~[-];~~ ~~[Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities]~~

~~(b)~~ Section 53A-1-401, which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

~~(c)~~ Sections 53A-11-801 through 53A-11-805, which provide guidelines for the use of reasonable and necessary physical restraint or force in educational settings.

~~[B.](2)~~ The purpose of this rule is to direct LEAs to have policies in place that prohibit corporal punishment consistent with the law.

R277-608-[4]2. Definitions.

~~[A. "Board" means the Utah State Board of Education.]~~

~~[B.](1)~~ "Corporal punishment" means the intentional infliction of physical pain upon the body of a minor child as a disciplinary measure.

~~[C.](2)~~ "LEA" ~~[means a local education agency, including local school boards/public school districts, charter schools, and]~~ includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

~~[D. "USOE" means the Utah State Office of Education.]~~

R277-608-3. Reporting Requirements.

~~[A.](1)~~ Each LEA shall incorporate in the LEA plan submitted to the ~~[USOE]~~Superintendent annually, the prohibition of corporal punishment consistent with the law.

~~[B.](2)~~ An LEA policy shall ~~[incorporate]~~ include:

~~(a)~~ a prohibition of corporal punishment consistent with the law~~[-];~~

~~(b)~~ criteria and procedures for using appropriate behavior reduction intervention in accordance with federal and state law;

~~(c)~~ appropriate sanctions for LEA employees who use corporal punishment; and

~~(d)~~ appeal procedures for LEA employees disciplined [under this rule and the corresponding state statute] for a violation of the LEA's policy.

~~[R277-608-4. Special Education Exception(s) to this Rule.~~

~~LEAs shall have in place, as part of their LEA's special education plans, procedures or manuals, criteria and procedures for using appropriate behavior reduction intervention in accordance with state and federal law.]~~

KEY: students' rights, disciplinary problems, teachers

Date of Enactment or Last Substantive Amendment: ~~[January 10, 2012]~~2017

Notice of Continuation: July 19, 2017

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Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401~~[(3)]~~; 53A-11-801 through 805